

CIVIL ACTION NO. 120106721

JEFFERSON CIRCUIT COURT

DIVISION _____

JUDGE JEFFERSON CIRCUIT COURT
DIVISION SA (3)

ANDRE MULLIGAN
205 Lawson Lane
Louisville, Kentucky 40214

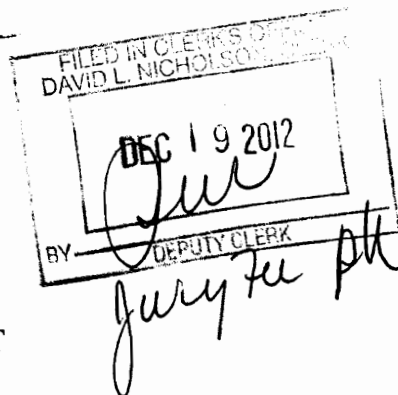
PLAINTIFF

v.

VERIFIED COMPLAINT

LOUISVILLE BOURBON, LLC,
d/b/a MAKER'S MARK BOURBON
HOUSE AND LOUNGE
446 S. 4th Street
Louisville, Kentucky 40202

CM



DEFENDANTS

SERVE: REGISTERED AGENT
S&H Frankfort, LLC
421 West Main Street
Frankfort, Kentucky 40601

AND

CORDISH OPERATING VENTURES, LLC
601 EAST PRATT STREET
6TH FLOOR
BALTIMORE, MD 21202

CM

SERVE: CORPORATION SERVICE COMPANY D/B/A CSC-LAWYERS
INCORPORATING SERVICE COMPANY
421 W. MAIN STREET
FRANKFORT, KY 40601

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I. INTRODUCTION

Comes the Plaintiff, Andre Mulligan (hereinafter "Mulligan" or "Plaintiff"), and for his Complaint against the Defendants, Louisville Bourbon, LLC, d/b/a Maker's Mark Bourbon House and Lounge (hereinafter "Maker's Mark") and Cordish Operating Ventures, LLC (hereinafter "Cordish" collectively "the Defendants") states as follows:

II. PARTIES, JURISDICTION AND VENUE

1. Plaintiff is a Kentucky resident.
2. Defendant Maker's Mark is the assumed name for Louisville Bourbon, LLC, a Kentucky limited liability company. Cordish Operating Ventures, LLC is a foreign limited liability company.
3. Venue is proper in Jefferson Circuit Court.

III. FACTS

4. Plaintiff is an African American citizen of the Commonwealth of Kentucky. Plaintiff is a graduate of the University of Louisville where he obtained bachelor degrees in both Political Science (2005) and History (2007).
5. Cordish operates the "4th Street Live" venue in Jefferson County, Kentucky.
6. Maker's Mark operates a restaurant at 4th Street Live.
7. The 4th Street Live and Maker's Mark lounge are both facilities that provide accommodations to the public.
8. On August 17, 2012 the Plaintiff and his brother met with officials from Maker's Mark lounge in preparation for an event that was to be held at the lounge on August 18, 2012. During the meeting the officials from Maker's Mark demanded to know the "ratio" of "black people" to "white people" attending the event.

9. Plaintiff informed the Marker's Mark officials that the party would be 100% African American. And the Marker's Mark officials responded by informing the Plaintiff that he and other African Americans would not be allowed to hold an event at the Marker's Mark lounge.

10. Maker's Mark officials specifically informed the Plaintiff that he would not be served if he attempted to enter the lounge on August 18, 2012.

11. On August 18, 2012 Maker's Mark officials refused service to all African Americans (in the event) who attempted to gain access to the lounge. (just as they had promised)

12. On August 18, 2012 the Plaintiff attempted to enter the "4th Street Live" venue and was refused access because he is an African American. Cordish security told the Plaintiff to "shut up" and that he was trespassing. Cordish security informed the Plaintiff that he would be "locked up" if he did not leave the grounds; at the exact same moment the Plaintiff witnessed numerous Caucasian patrons entering the 4th Street Live venue without incident.

IV. CLAIMS AND CAUSES OF ACTION

A. VIOLATIONS OF THE KENTUCKY CIVIL RIGHTS ACT

13. Plaintiff re-alleges all allegations contained in Paragraphs 1 through 12 above as if fully set forth herein.

14. Plaintiff was refused services at a place of public accommodation in violation of the Kentucky Civil Rights Act, KRS Chapter 344.120 *et. seq.* The actions of the Defendants refusing service to the Plaintiff are in violation of KRS 344.120.

B. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

15. Plaintiff re-alleges all allegations contained in Paragraphs 1 through 14 above as if fully set forth herein.

16. Defendants' actions leading up to and surrounding Plaintiff's refusal of service constitute intentional infliction of emotional distress.


V. PRAYER FOR RELIEF

WHEREFORE, Plaintiff Mulligan respectfully prays that he be awarded the following relief and all other relief to which he may be entitled:

- A. Trial by jury;
- B. Judgment against the Defendant on all claims asserted herein;
- C. Compensatory damages including but not limited to past and future lost wages and past and future lost benefits;
- D. Compensatory damages including but not limited to emotional distress, mental anguish, humiliation and embarrassment;
- E. Punitive damages to punish and deter similar future unlawful conduct;
- F. An award of statutory attorney fees, costs and expenses; and
- G. Statutory interest on all damage awards, verdicts or judgments.

Verification

I hereby verify that the information contained in this Complaint is accurate to the best of my knowledge.


Andre Mulligan

COMMONWEALTH OF KENTUCKY)
) SS:
COUNTY OF)

The foregoing instrument was acknowledged before me this 29 day of August, 2012 by Andre Mulligan.

My commission expires: 11-25-13

Tedra K. Wroner
Notary

Respectfully submitted,

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Attorney for the Plaintiff

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